

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 05-30046-MAP
)	
EDUARDO PAGAN,)	
Defendant.)	
)	

THE GOVERNMENT'S MOTION FOR AN ORDER OF EXCLUDABLE DELAY

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully moves for an order of excludable delay under the Speedy Trial Act, 18 U.S.C. §3161 from December 8, 2005 until January 20, 2006, from the period within which the trial of this case must commence under the Speedy Trial Act. In support of this motion, the government states that on December 8, 2005 a superseding indictment was returned against the Defendant. On December 13, 2005 the Defendant was arraigned on his superseding indictment. The Defendant requests this time to review discovery and to consider whether he will file pretrial motions. The parties are also awaiting the completion of transcripts from the consensual recordings in this case. The translator has just informed the government the transcripts will be substantially completed by December 20, 2005.

It is in the best interests of the Defendant, the government, and the public, to exclude the time from December 8, 2005 until January 20, 2006, from the period within which the

trial of this case must commence under the Speedy Trial Act.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Paul Hart Smyth

Paul Hart Smyth
Assistant U.S. Attorney

Dated: December 15, 2005

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
December 15, 2005

I, Paul Hart Smyth, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing by mail to Attorney Robert Eduardo, 1441 Main Street, Springfield, MA.

/s/ Paul Hart Smyth
Paul Hart Smyth
Assistant U.S. Attorney